

Northeast Regional Office
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
Gloucester, Massachusetts

**SECTION 515 INFORMATION QUALITY ACT
PRE-DISSEMINATION REVIEW & DOCUMENTATION FORM**

AUTHOR/RESPONSIBLE OFFICE: Thomas Warren, Sustainable Fisheries Division

TITLE/DESCRIPTION: Proposed rule and Notice of Availability (NOA) of the Final Supplemental Environmental Impact Statement (FSEIS) for Amendment 13 to the Northeast Multispecies Fishery Management Plan (FMP).

PRESENTATION/RELEASE DATE: January 2004

MEDIUM: Publication of proposed rule and NOA for FSEIS in the Federal Register and posting of these rules on the Internet website for the Northeast Regional Office (NERO) of the National Marine Fisheries Service (NOAA Fisheries).

PRE-DISSEMINATION REVIEW:

Name and Title of Reviewing Official: Susan A. Murphy, Senior Policy Analyst
(Must be at least one level above person generating the information product)

Pursuant to Section 515 of Public Law 106-554 (the Data Quality Act), this product has undergone a pre-dissemination review.

Signature

Date

SECTION 515 INFORMATION QUALITY DOCUMENTATION

I. Utility of Information Product

Explain how the information product meets the standards for **utility**:

A. Is the information helpful, beneficial or serviceable to the intended user?

The proposed rule and the FSEIS will provide the fishing industry, environmental community, and members of the general public, with information on the management measures contained in Amendment 13 to the FMP, and the opportunity to comment on those measures. Specifically, the proposed rule will provide a description of the preferred management measures contained Amendment 13, the reasons for selecting the preferred management measures; and a summary of the analyses of the biological, economic, and social impacts of the action. The FSEIS will provide the public with a complete analysis (economic,

social, biological) of the impacts of all of the alternative management measures considered in Amendment 13. The FSEIS will also contain a discussion of the impacts of the alternative management measures to essential fish habitat, marine mammals, and protected species.

- B. Who are the intended users of the data or information product? Is the data or information product an improvement over previously available information? Is it more current or detailed? Is it more useful or accessible to the public? Has it been improved based on comments from or interactions with customers?

The intended users of the information product are individuals involved in the Northeast multispecies fishery, such as fishing vessels, fish dealers, and fish processors. Both the proposed rule and the FSEIS for Amendment 13 contain information on new management measures being considered for the Northeast Multispecies Fishery. The management measures contained in Amendment 13 are based on the best and most recent biological, social and economic information available. Thus, the information contained in the proposed rule and the FSEIS for Amendment 13 is an improvement over previously available information, and is more current. The information product will be subject to public comment through proposed rulemaking, as required under the Administrative Procedure Act, and, therefore, may be improved based on any comments received.

- C. What media are used in the dissemination of the information? Printed publications? CD-ROM? Internet? Is the product made available in a standard data format? Does it use consistent attribute naming and unit conventions to ensure that the information is accessible to a broad range of users with a variety of operating systems and data needs?

Federal Register notices for the proposed rule and the NOA for the FSEIS will be made available in printed publication and on the Internet website for the Northeast Regional Office. In addition, the FSEIS will be available on CD-ROM from the New England Fishery Management Council (Council), and will also be made available on the Council's web site at www.nefmc.org.

II. Integrity of Information Product

Explain (Circle) how the information product meets the standards for **integrity**:

- A. All electronic information disseminated by NOAA adheres to the standards set out in Appendix III, "Security of Automated Information Resources," OMB Circular A-130; the Computer Security Act; and the Government Information Security Reform Act.
- B. If information is confidential, it is safeguarded pursuant to the Privacy Act and Titles 13, 15, and 22 of the U.S. Code (confidentiality of census, business and financial information).

- C. Other/Discussion (e.g., Confidentiality of Statistics of the Magnuson-Stevens Fishery Conservation and Management Act; NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics; 50 CFR 229.11, Confidentiality of information collected under the Marine Mammal Protection Act.)

III. Objectivity of Information Product

A. Indicate which of the following categories of information products apply for this product:

- ☐ Original Data
- ☐ Synthesized Products
- ☐ Interpreted Products
- ☐ Hydrometeorological, Hazardous Chemical Spill, and Space Weather Warnings, Forecasts, and Advisories
- ☐ Experimental Products
- ☒ Natural Resource Plans
- ☐ Corporate and General Information

.A Describe how this information product meets the applicable objectivity standards. (See the DQA Documentation and Pre-Dissemination Review Guidelines for assistance and attach the appropriate completed documentation to this form.)

1. What published standard(s) governs the creation of the Natural Resource Plan? Does the Plan adhere to the published standards? (See the NOAA Sec. 515 Information Quality Guidelines, Section II(F) for links to the published standards for the Plans disseminated by NOAA.)

In preparing a rule related to an FMP or FMP Amendment, NOAA Fisheries must comply with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the National Environmental Policy Act, the Administrative Procedures Act, the Paperwork Reduction Act, the Coastal Zone Management Act, the Endangered Species Act, the Marine Mammal Protection Act, and Executive Orders 13132 (Federalism), and 12866 (Regulatory Planning). NOAA Fisheries has determined that the proposed rule and FSEIS for Amendment 13 are consistent with the National Standards of the Magnuson-Stevens Act, and all other applicable laws.

2. Was the Plan developed using the best information available? Please explain.

National Standard 2 of the Magnuson-Stevens Act states that an FMP's conservation and management measures shall be based upon the best scientific information available. Therefore, Amendment 13, including the associated FSEIS and proposed rule, was developed using the best biological, social, and economic information available. Specifically, the most recent biological information on the 19 stocks contained in the Northeast multispecies complex was utilized in developing Amendment 13. Amendment 13 considers the most recent

information available on fishing communities, including their dependence on the species included in the Northeast multispecies complex. Finally, up-to-date economic information (landings, revenues, etc.) was used to determine the economic impact of Amendment 13 measures on the fishing industry.

3. Have clear distinctions been drawn between policy choices and the supporting science upon which they are based? Have all supporting materials, information, data and analyses used within the Plan been properly referenced to ensure transparency?

The policy choices (i.e., management measures) contained in the proposed rule and FSEIS for Amendment 13 are supported by the available scientific information. These management measures are designed to meet the conservation goals and objectives of the FMP, and are designed to help end overfishing and rebuild overfished Northeast multispecies resources.

The data and analyses used to develop and analyze the measures contained Amendment 13 are included in the FSEIS, and summarized in the proposed rule. Furthermore, all reference materials utilized in the discussion and analyses are properly referenced within the appropriate sections of the FEIS.

4. Describe the review process of the Plan by technically qualified individuals to ensure that the Plan is valid, complete, unbiased, objective and relevant. For example, internal review by staff who were not involved in the development of the Plan to formal, independent, external peer review. The level of review should be commensurate with the importance of the Plan and the constraints imposed by legally enforceable deadlines.

The review process for FMPs involves the Northeast Regional Office (NERO) of NOAA Fisheries, the Northeast Fisheries Science Center (Center), and NOAA Fisheries Headquarters (Headquarters). Review by staff at NERO are conducted by those with expertise in fisheries management and policy, habitat conservation, protected species, and compliance with the applicable law. Review by Center staff involves scientists, economists, and social anthropologists. Review by Headquarters staff is conducted by those with expertise in fisheries management and policy. The FSEIS for Amendment 13 was reviewed in such a manner. Furthermore, the proposed rule for Amendment 13 will undergo review by staff within NERO, various staff (Office of Sustainable Fisheries, Office of General Counsel, etc.) at the Headquarters office of NOAA Fisheries, as well as other staff within the Department of Commerce.